

**MINUTES OF HAMILTON COUNTY COUNCIL, June 6, 7:00 P.M.**

**GENERALIZED SUMMARY**

**VERBATIM DISCUSSION ON TAPE ON FILE IN AUDITOR'S OFFICE**

President McKinney called to order the regular meeting of the Hamilton County Council. Auditor Mills called the roll: Brad Beaver, John A. Hiatt, Christine Altman, Rick McKinney, Judy Levine, Meredith Carter and Jim Belden. Auditor Mills declared a quorum.

Everyone stood for a moment of silence as directed by Meredith Carter and remained standing for the pledge of allegiance.

Councilor Altman moved to approve the minutes of April 25, 2000 joint meeting with the Hamilton County Commissioners. Councilor Levine seconded motion. Motion carried (7-0).

Councilor Altman moved to table minutes of May 2, 2001 meeting so that responses from PSI Energy to questions from council are added to these minutes. Councilor Levine seconded motion. Motion carried (7-0).

**PUBLIC COMMENTS**

There were none.

**COMMITTEE / OFFICER REPORTS**

**President**

None

**Vice President**

Councilor Levine reported:

ÿ She has been meeting with her committees on their budgets and all is going well.

**Highway Committee:**

Councilor Beaver reported:

ÿ Highway committee met Friday and discussed items on tonight's agenda, these items will be discussed later in our meeting which have received favorable recommendations.

Councilor Beaver made a motion that Resolution 06-06-01.1 (Real estate purchase for Bridge #120) be adopted. Councilor Levine seconded the motion. Motion carried (7-0).

**Finance**

Councilor Altman:

ÿ Committee met with Mike Reuter as promised. Finance outlined what they would like to see in terms of cost of bond issues not only from the requested Highway bond issues of over \$50 million but also generating numbers for a juvenile justice bond to be incremented in phases and other pending projects such as parks, what the tax rate impact would be.

ÿ Mr. Reuter is going to come up with real numbers regarding the impact of an increase.

ÿ A work session will be requested before the July 11 council meeting to discuss the

preliminary numbers the council members received today.

Councilor Beaver asked the Finance committee about the status of the Grant Administrator and specifically how the council should move forward on this position. A job description has been developed but needs to be reviewed, Councilor Beaver asked the other members to review the job description and notify Sheena Randall of any changes. It was decided that this would be revisited in the next 60 days.

## **GIS**

ÿ We have prepared a CD with high-resolution aerial photos and other map features for Schmidt & Associates to use in the master plan for the Taylor Property. We have prepared a similar CD for use by the archaeological committee.

ÿ We have received unrectified scans of the April 4th aerial photography for our reference until delivery of the digital orthophotography is complete next April.

ÿ We're continuing to develop and support GIS applications for all of our users.

Councilor McKinney thanked BJ and her staff for showing off their technical expertise today at their open house.

Councilor Altman stated that ISS would be putting finance view only program on the council computer.

## **Personnel Committee:**

Councilor Carter:

ÿ Committee met on May 24th.

ÿ Barry McNulty has requested a new position (Vector Control Biologist). The Health Board does support this request and Health does have the money in their budget.

ÿ Tammy Baitz, requested new position to handle work increase due to new software being installed in the Prosecutors office that will not interface with the clerks office software. Personnel requested Tammy monitor the workload and reappear at the July committee meeting if she believes there's still a need.

Councilor Altman asked if the Prosecutors new software went through the ISS Board? BJ Casali stated that when she and Prosecutor Leerkamp spoke about this project that the Prosecutor indicated her office would do the double entry required with this program. This project was paid for with a grant so until this point there has been no expense to the county.

ÿ Kent Ward has requested two positions for 2002: Survey Tech and Program Manager. The committee had no recommendation at this time.

ÿ We're continuing to work with Madonna Roach on a salary schedule for Probation Officers. A classification session will be submitted for the next budget cycle.

Councilor Carter made a motion to introduce Ordinance No. 5-29-01.C: An Ordinance Of The Board Of Commissioners Of Hamilton County Which: Approved A List Of Jobs Within The County Which Are Exempt Under The Fair Labor Standards Act; Amends Certain Provisions Of The Personnel Policy of Hamilton County; And Establishes A Benefit For Exempt Employees To Be Known As "Excess Benefit Time". Councilor Levine seconded the motion. Motion carried 7-0.

Councilor Carter made a motion to table Ordinance No. 5-29-01.C. Councilor Altman seconded. Motion carried 7-0.

Councilor Carter made a motion to introduce Ordinance No. 5-29-01.B: An Ordinance Of The Board Of

Commissioners Of Hamilton County Amending The Employee Handbook For Employees Of Hamilton County, Indiana. Councilor Levine seconded the motion. Motion carried 7-0.

Councilor Carter made a motion to table Ordinance No. 5-29-01.B. Councilor Levine seconded the motion. Motion carried 7-0.

Councilor Carter requested a date be set to meet with the Commissioners to discuss these ordinances.

### **Miscellaneous**

Councilor Beaver made a motion to table Resolution 6-06-01.2 Solid Waste COIT Distribution. Councilor Levine seconded the motion. Motion carried 7-0.

Councilor Altman stated this resolution is to determine whether we're going to put COIT funds or not on the table and routinely we deal with this every year. This is just a statutory requirement the State Board of Accounts imposes upon us to make a determination as to whether we use CAGIT, which we don't have in this county, or COIT to fund solid waste. Auditor Mills stated she had talked to John Culp because the household hazardous waste issue may have an effect on this and so that's why we've asked this item be tabled for 30 days until funding issues can be addressed by John Culp and Mike Howard.

PSI Energy Question/Answer:

[Tape 1: 1744]

Councilor Levine -If they (PSI Energy) could guarantee the council that they will preserve the integrity of Morse Reservoir? Mr. Dan Ziegler, Project Manager for the proposed repowering project responded: With regards to the water issue, the public has raised some very good questions and concerns, those are some of the same concerns we recognized early in our evaluation of the project. The hydrology report that's referenced is one of the screening tools that was put together early on to help us evaluate this particular project. The hydrology report referenced used information that we had available to us very early in that evaluation. Since then we've done a lot of engineering, a lot more engineering I should say, we're buy no means finished. Referring to that hydrology report let me use some of the numbers we had contained in that: First we assumed all the existing systems would be maintained intact, which in and of itself is not going to happen, we're going to be decommissioning most of them. The intent on keeping all those systems intact was only because we could not account for the individual flows in the individual portions of the systems. It's a 50 year old plant with very limited instrumentation, very limited ability to tell exactly where the water goes in that plant. It was built with a whole different set of regulations and engineering mind sets. We have since taken a look at the individual systems we do intend to keep, do intend to reuse, and the new systems we propose to install, and tallied the water usage for those individual components. The original numbers we reported were 11.3 million gallons per day usage, that is usage not returned to the river. That would have gone up to 13 million gallons per day if we installed an additional cooling tower that's capable of handling all the cooling needs for the station. Again, that assumed all the existing systems were going to remain intact. Now we studied Morse Reservoir and White River with those numbers in mind, the worse case scenario that was mentioned dropping the Morse Reservoir wasn't even a realistic one for us but it was one we wanted to look just so we understood the potential impact if all the worst things happened. That worse case scenario involved 365 days without rain. That worse case scenario involved tapping directly into the Morse Reservoir to get our water which we do not have the physical capability to do nor would we propose to install that. So that it's unfortunate we asked for that worse case scenario to be studied and included in that report, but it helped us gage the relative significance and the impact of the project. It's not a good number to compare our project to, it's not a good number to predict the future if there were a drought. What we do know now today is looking at the systems that we intend to reuse and the systems we intend to install, we would have a much less significant usage. I hate to use exact numbers and again it's because we're in the middle of the engineering study phase. What we have found is it's somewhere on the order of 5 million gallons a day. So we believe at this point and time the usage will go down, so the impact to the White River and Morse Reservoir as a result of the Noblesville Plant will be reduced. Now the reason we used those large numbers initially is because no one likes to see someone come back and say well it's worse

than we thought. We need more money, we need more water, we need more time, that's a negative for any project, it's a negative for anyone to have to ask for, so we proposed the worse case scenario, we used numbers that could no way shape or form occur, so that we would never have to come back and say, it's worse than we originally thought. So I hate to have to change the story but it's only because we're getting more current information, better information and helping refine our analysis and our study.

Councilor Levine- What about the pull down from the Water Company? Mr. Dan Ziegler- We, according to our hydrology study, again this is using all those worse case numbers, found that we would not cause them to draw down the Morse Reservoir any more than they were already doing. So, if we now go to less than our current usage, we would not expect anything but that to improve. Now again that's up to them, the water company regulates the Morse Reservoir we don't.

Councilor Levine- So if they drew it down to the maximum that they have ever done, it still wouldn't be as great as no rain for 365 days? Mr. Ziegler- Correct. Councilor Levine - So that would not even come close to your worse case scenario? Mr. Ziegler - Correct.

Councilor Belden- Taking into consideration the concerns of the public and what was stated to them at one of the public hearings, and then your statement sir that you are in the middle of engineering studies by no means are finished, Are we a little premature? If you can't answer the questions, I don't know, you keep saying by no means are we finished we're right in the middle and you've already changed your opinion or at least, I know it's very complex and hard for people for like us to understand. I'm a little confused. Mr. Ziegler- The hydrology report that we used again was a screening tool we used, unfortunately it is a tool that now appears to of been over estimated. Councilor Belden- Are you doing some more hydrology work? More hydrology engineering? Mr. Ziegler- We're doing more engineering with respect to the water balance. Councilor Belden- So are we premature on everything? Mr. Ziegler- No. Councilor Belden- You're not, why are you doing more engineering then? Mr. Ziegler- Well we have to finish engineering all the systems, right now we're using all the maximum flows and maximum capacities at the individual systems. We believe that we're going to be able to trim it down even more. But again we didn't want to have to come back and ask for more water or tell you that the water usage was going to go up, that's the primary reason for reporting it that way.

Councilor McKinney- In any of your studies to date have you calculated the cost or do you know the cost would be to sink the deep well that's been suggested? Mr. Ziegler- It has not been included in any studies to date no. The only thing we do have available to us is the impact of additional development and the additional sinking of wells in the area around the power plant that caused our 70' deep well to go dry and we were forced to drill a deeper well. So we're a little concerned any further drilling wells to supplement the river flow may cause an impact on neighboring residents drinking water wells. Councilor McKinney- You mean you currently have a well now? Mr. Ziegler- Yes. 15 gallon per minute for our own bottled water usage.

Councilor Beaver- Can I chime in here Rick. Now I'm just a simple furnace man, but let's understand what we're talking about here. Number one - Cinergy plant uses water from the river for it's process, some of that gets evaporated, most of it goes back into the river. Then water goes down the river to Indianapolis and goes over the dam at Broad Ripple and they're saying if not enough flows coming down the river and going over the dam in Broad Ripple then they're going to open up Morse & Geist to get some more flow into the river, you don't go in and tap the reservoir to go in and cool Cinergy's plant, that's not the way water flows. Even Jim's comments were more telling, I'm personally in favor of you guys retooling this plant. I look at your plant everyday when I go to work, my shops up there. I think it's a good idea, I think we should retool it, I think it's a plus for our community, the school board members have been in touch with me, the city councilor's been in touch with me, I represent Noblesville Township, I represent Fall Creek Township that has Geist Reservoir. I think this is a plus for our community and we should give them the abatement but I want to go back to what Jim was talking about, I think an issues been brought up that at this point their wanting us to give them the tax abatement and we're county councilors not hydrologist, how are we suppose to make that determination. Even this gentleman tells us their still making the calculations. I think that it's worthwhile to investigate the idea that they would have the capability of going to ground water if absolutely necessary and somebody set out the parameters of what absolutely necessary would be. I don't know what those parameters are but somebody does and nothing

against the Cinergy people but at some point we've got to have someone advising us who knows more about it than we do. I would also say this, 70' is not a deep water well, at my shop I have a 100' just to run our sink and toilet, that's not a deep water well, we're talking deep, go down below the aquifer most of the people in the area are using for drinking water and that's not 70'. I think it behooves us to at least have Cinergy to have a plan in place to generate or produce water in an emergency, if necessary, rather than tapping the river, and as this gentleman pointed out, their planning on using less water than they use today, and I think that's great but today that's a standby plant. What 60 megawatts? Is that what it's producing when it does run. Mr. Ziegler- We assumed 100% utilization of the plant in the calculations. Councilor Beaver- You assumed you were running the Riverwood plant fire and coal everyday? Mr. Ziegler- Yes. Councilor Beaver- OK and you're planning on using less water than that if you ran the gas power plant everyday? Mr. Ziegler- Everyday, correct. Councilor Beaver- I think that's fine and I think the river's a resource Cinergy's entitled to use, Indianapolis is entitled to use it, citizens of Hamilton County are entitled to use the water that is in it's watershed. I think this is a legitimate point and a legitimate concern and there has been no answer to that question as of yet, their still making that calculation but once we get past an up or down vote on the abatement it's past us, there's no going back. Councilor Levine- What about the people's wells around that would be sucked dry? Councilor Beaver- It doesn't work that way. Councilor Levine- Are you sure? Councilor Beaver- Yes. Your well at a 50' aquifer is not the same aquifer your at 150' or 200'. That being said, I want everybody to have a chance to say their peace but I want to say my peace because when we get done talking I'm asking for a table. We don't have the expertise and I suggest the County Council use our own Surveyor to assist us in these water flow calculations. Somebody knows more about water and how much water than we do or else we're going to be using somebody elses numbers, which I'm sure their all honest people and they wouldn't mislead us but we need somebody on our side determining what the flow is.

Councilor Altman- When this project was first presented to me, I heard it in the Alliance and I've heard it several times here. My understanding was it would not have an additional load on the White River. If there's a couple of components I'd like you to answer for me if you would. Is PSI Energy in a position tonight to tell us that indeed we will have the same or lesser effect on White River with the expansion as we have with the existing plant? Number one and Number two Is PSI Energy in a position to assure us that if those calculations prove to be untrue or that your new calculations indicate that we could have a drain on the White River effecting remotely the reservoir that they will find other water resources to cool that tower via deep water well? Can you do that this evening for this council? Mr. Ziegler- Yes, regarding the first questions, the heat load was the primary constituents that we would be taking off. Councilor Altman- I'm talking volume, at this point my question was volume. Mr. Ziegler- All along we were talking about the total impact and one of those was heat, the other is the volume. The volume will go down, our usage will go down, we can commit to that, we do have better engineering information that now allows us to commit to that. So we can commit to that. We have given you in our letter of commitment for the project that we would work with all regulatory agencies to make sure that any problems that did surface would be resolved according to those agencies requirements. So that would be the commitment. Councilor Beaver- We have no agency. Hamilton County has no regulatory agency over that plant once it passes the County Council for tax abatement. Councilor Altman- There going to have to go through a huge process for approval for this particular facility. I'm not in a position, that's not my expertise but I can guarantee this is a minor step in their process of building a new plant. Mr. Ziegler- Right, we've got the Indiana Department of Environmental Management that would be an overseer, the Division of Natural Resources so those divisions and departments would be the regulatory agencies that would have the authority in the event there were issues or problems that surfaced.

Councilor McKinney- John, can I ask you a quick question? An issue was raised also about if it changes ownership of the company voiding the tax abatement or reducing it, is that possible. Mr. Culp- Under the statute changing of the ownership of the company will not affect the abatement process. The successor owner would be able to have the abatement. Councilor McKinney- Continue without having to reapply. Are we able to attach any conditions to it? If there was a change of ownership? Councilor Culp- I would have to get into that and check it because the statute specifically states that the abatement would apply to any successor. Councilor Altman- To the property. Mr. Culp- Yes, to the property.

Mr. Bob Campbell- Christine when I drafted the declaration of commitment, the first draft referenced

county, state and federal regulatory authorities. I changed that and deleted the phrase regulatory. The declaration of commitment is a commitment to the Hamilton County Council, which certainly in my opinion represents a county authority. The reaffirmation of the benefits as presented last month is a real declaration here today and the commitment to work with you to make sure that those benefits, under the language of this commitment, are maintained, I believe covers and encompasses the water questions and water issues that are being raised. I just wanted to draw that to your attention, since we are willing to make the commitment tonight that the volume is going to be less than I think that even enhances and strengthens the commitment that you see before you. Councilor Altman- While you're there Mr. Campbell, What other sites are being considered by PSI Energy that we are more or less competing with on this facility. I'm not going to answer that question. Mr. Ziegler- Edwardsport would be one of the primary candidates for this type of development that is certainly one of them on the list. There are others that we would request not be made public at this time because they involve... Councilor Altman- Just in terms of numbers. Mr. Ziegler- Four. Councilor Altman- There are four other sites that PSI Energy will go to in lieu of Hamilton County if you do not get a tax abatement, Is that correct? Mr. Ziegler- Yes. Councilor Altman- I think the council needs to consider that with the conversations we've had on school board members and the affect on the assessed valuations along with the representation from PSI Energy that the volume will decrease from the White River.

Councilor Beaver- Let's clear up decrease. Are you saying the usage will decrease as, let's go back to the last 365 days and the amount of water that's been used in that plant in the last 365 days and magically the new plant is there and the following 365 days, you will use less water after the plant is built than was used 365 days back from today? Mr. Ziegler- Yes. Councilor Beaver- Is that right? Even with it only being a partial site? Mr. Ziegler- Yes.

Councilor Belden- I'm not sure I heard the answer the Christine's second question. Can you repeat the question and maybe I could understand the answer again? What was your second question? Mr. Ziegler- I think Daphanee Hoppes can help us discuss the well issue there but we have not included any provisions in the proposed design for an additional well. Councilor Belden- The question that comes to me is do you have some plan in mind for unusual circumstances obviously in case of a drought or something like this, that would not mean that the waters not going over in Broad Ripple and our reservoir goes down two or three feet? Where you could of done something to prevent maybe that possibility? Is their an alternative plan, an emergency plan or is that your emergency plan? Mr. Ziegler- Effectively what we would look at the hydrology report going back to that again. There was one circumstance where we evaluated the impact of the plant on the reservoir during the drought conditions that you referenced. During those particular times there were only two inches of the effect of the plant on the reservoir if that water we drew came from the reservoir. So again that's very, first off it didn't come from the reservoir and it was very minimal in comparison to the impact, drinking water and the requirements by the Indianapolis Water Company to maintain flow over the Broad Ripple dam had on the reservoir itself. So no we did not include any provisions for well or to make up for water that was used to supplement the river flow. Councilor Belden- Your emergency plan is you'll use the reservoir. Councilor Altman- No we're not going to use the reservoir. Councilor Belden- I mean the river. Mr. Ziegler- We're not using the reservoir, we're using the White river and our usage does not increase the draw down of the reservoir. Councilor Altman- The only one that has control over the reservoir is the owner of the reservoir which is currently the Indianapolis Water Company.

Councilor McKinney- If we are to table it considering the environmental concerns and questions raised, what would a 30 day delay do to Cinery's plan? Mr. Ziegler- It would definitely set us back, the economic analysis really desires to have the tax abatement part of it. I can't give you a straight answer on that right now, we would like to say it would not preclude us from building at the site or developing there but it's something we have to consider and we have to go back to our financial analysis and look at it.

Councilor Belden- After hearing what testimony you've heard, Do you have a difference of opinion now? Mr. Byers- My opinion is, I appreciate their desire to go forward in their calculations, my opinion is I heard the testimony at Noblesville where a gentleman here said it would draw down 1.3', now they're saying today that they've reanalyzed that and they're still engineering and it's possible, I mean if it's possible we're all for that, but I don't see any written reports or evidence. I think Council person Beaver is correct,

we need to see that, I'd like to see that in writing and let you review it and make a decision and put it in a written commitment, let's firm that up a little bit. I mean if it's correct that's great, I think it takes away the fears but the last time I think about two weeks ago they testified and the Water Company hydrologist was present they testified 1.3' and I've talked to the Water Company who doesn't have a desire to be involved and they're of the opinion it was 1.3'. I don't know if the Water Company even knows about the new analysis.

Councilor Carter- My only thing was is the sale of this particular unit, Is it going to be sold? Councilor Altman- I didn't understand the distinction, they're going to have to operate the plant under IURC requirements and whatever the Department of Natural Resources is going to have more control over it than we are. I guess that's what I didn't understand how the sale impacted any of our decisions because it's an issue of power generation and increased tax bases that benefits all the citizens of Hamilton County. Councilor McKinney- I think the question was either they were going to export the energy versus having it available here. Councilor Levine- I don't think we want to see an abatement go and it become a merchant plant, that is a concern. Councilor Altman- Let's identify why it's a concern. Let's address the issue of the merchant plant because it came up. To me the issue is we will have increased tax base to the county. Are we increasing tax revenues and is there an impact on the environment. These gentlemen have told us no there's not an impact to the environment, yes we have an increase tax bases, so to me whether Joe down the road uses it or we use it is irrelevant, now it maybe important to others but to me that's how I analyze it.

Mr. Steve Holt- I think Mr. Ziegler was extremely candid tonight, in fact a lot more candid than a lot of developers that appear in this room. In his first presentation he said I hate to have to change the story, well you don't normally hear that on the night of the public hearing that's really different, you reflect on Plan Commission, a developer doesn't come in and say hate to have to change the story it's not real impressive. I've never seen the hydrology study, have any of you had an opportunity to read the hydrology study? Has it been made available to you? Councilor Altman- I wouldn't understand it if it was, therefore, I have to rely upon what's represented to be honest with you Steve. Mr. Holt- He followed that up with "I can't give you a straight answer to that one" and that's a real honest answer to and I appreciate that and I think the combination of I hate to change the story and I can't give you a straight answer, answers Councilman Beaver's question of whether it's appropriate to table this tonight. The one thing that I do find a little insulting in this is raising the specter Christine of how many sights are available. Again, back to President Bush's energy policy, it's my understanding we're really behind the eight ball and we need all the energy production we can get. I know from listening to Barry and some of the consultants Cinergy hired on the Kadez plant that you guys spent millions of dollars on public relations and attorney fees and consultants to get that thing back through the legislature because it was critical to get that thing back on line because the cost of energy is high right now and it's very profitable to get plants on line. Correct. To say there's one of four coal powered plants that we're going to refire I think is insulting because I believe that Cinergy could sell every last kilowatt that they could produce in this environment and would be licking their chops to get all of them on line. I can't imagine asking them to drill a deep well would deep six their request for tax abatement and moving forward. Councilor Altman- Well we have a different view on that because I think capital investment will allow them to build out one plant in this area and one plant competing with four potential sites and to me the issue of county council is are we doing the best thing for our tax payers as a whole and the issue also goes on not only the tax base it's created but the environmental impact and what I've heard tonight was there's an environmental benefit impact. If everyone else feels they have to table it that's a decision everyone else has to make. Mr. Holt- But this County Council as always has also had a stellar record in quality of life issues. You have not measured things solely by the cost but also by what it brings to our lifestyle in this community and the quality we enjoy. Councilor Altman- And I don't disagree with that Mr. Holt.

Councilor Levine- Can Dauphin Hoppes add anything to pros or cons to this well situation? Ms. Hoppes- I'm the Station Manager. All I can tell you is what I have right now and I don't know what the water, I'm not a hydrologist, but I did have at one time a 70' just 15 gallons per minute potable water well. When all the building started around the area, my well went dry and I had to dig you know 210', just to get a 15 gallon per minute well. So I know if there's water around there it's deep. But we have to look at prices for a well. I can just reiterate the current studies that we have now with the existing systems we are going to

reuse, we just had that meeting Tuesday of this week, combined with the design systems for the new combustion turbines, the flow I understand today is less than what I'm using now.

Mr. Campbell- I apologize for dragging Mr. Holt and Mr. Byers off to a corner, I was trying to ask if they would concur with a plan that might accommodate their concerns about the water table issue and the reservoir, might accommodate your concern about a rush to judgement and the proposal is simply this, That the final action on the resolutions take place tonight, we ask that the council approve the final action and the final ratification of the ERA and the tax abatement with the declaration of commitment as presented to you, we are also able to put into writing, within a time frame that you dictate, a written report of the results of the latest engineering studies which reflect less water usage, less volume, less impact than presently experienced and we certainly have no objection to consenting and agreeing that the County Council will have continuing jurisdiction over this issue. Many of you have said what is the big deal about the well, well the big deal about the well is quite frankly there's no one in this part of the area that has the authority to make that kind of commitment. We're also told and I am informing you that the economic model for the revitalization and rehabilitation of this generating plant is dependent on this tax abatement. So please tonight consider this proposal that there will be a written report, it will reflect less usage consistent with what you've heard tonight and that if in fact you get a report that does not show this than you have continuing jurisdiction to open up this entire abatement issue at a later time. John Culp and I talked about this before the meeting and we believe that this is permitted within the purview of the statute. And this is a way we can proceed with our regulatory procedures, we can give you what you need, we can hopefully satisfy our friend up on Morse Reservoir, I've got a boat up there myself. What I'm saying is I think this is a plan that might work.

Councilor Beaver- Do you concur with what Bob just said that if sometime in the future if it becomes evident to this county council that more water is being used with the new plant than with the old one that we would have any way of opening this issue up again? Mr. Culp- Brad, under the present statute, it gives the County Council the authority in the future if the commitments are not followed, if the statement of benefits are not being realized, the County Council then has the ability to rescind, revoke it, set it for another public hearing. At which time the County Council could revoke any further tax abatements and if the petitioner disagreed with that process the remedy is within 10 days after that action is to have a court of law review it. So the County Council has continuing jurisdiction. Councilor Beaver- I just want to say again, I am in support of this plan, I want them to retool it but it's like me saying to you, trust me, we're going to give you the tax abatement, we can't sign the papers right now, we don't know what the number is, just go ahead and trust us that this is going to be OK. You're not going to do that, you want the abatement tonight and I'm saying we have questions about the well and your saying trust us on the water it will be OK. What is the gallon usage per day, per year, while that plants running, What is it right now and tell me it won't go over that with the new plant and I'll pass on my tabling. Mr. Campbell- I thought I heard the numbers already and think we've already made those representations tonight of what those numbers are and what those numbers will be and what we are saying is the report that we are committing to provide to you will reflect less usage. Councilor Beaver- I don't care about the Morse Reservoir, what the plants using, surely one of your engineers knows that. Do you know that Daphanee? Ms. Hoppess- Right now in our current processes we use 11.3 million gallons per day? Councilor Beaver- In a 24 hour period? Ms. Hoppes- Right. Councilor Beaver- Ok, and the commitment as the way you heard and the way I heard them when the new plant is up and running you will use less than that. Ms. Hoppes- That is correct. Councilor Altman- To me it seems like a very reasonable compromise, at this point it allows them to go forward and gives us assurance that if their hydrology reports are inaccurate for any reason the plug gets pulled on the tax abatement and we're at ground one. That is exactly the concerns I heard from the public. Councilor Beaver- Where would we get the number of how many gallons per day that the new plant will be using? You would provide those wouldn't you? Ms. Hoppes- Yeah, sure. Councilor Beaver- You would provide those to every government agency so the government agency wouldn't know.

Councilor McKinney- I'd like to call a recess until 8:40 p.m.

Councilor McKinney reconvened the meeting at 8:43 p.m.

Mr. Culp- About the Council and County's continuing jurisdiction. If the council passes the resolution in final form with commitments, amendments etc., as Mr. Campbell and I have advised you earlier there is



continuing jurisdiction, one of which is for example the petitioner must make an application for the deductions that the petitioner will get annually if the abatement goes through and one of the requirements if the Auditor or the Council suspects that the statement of benefits is no longer there or that the petitioner is not in compliance then that kicks in the other theory that I discussed a little bit earlier, where it can then be reviewed again by this body.

Councilor McKinney- What's the pleasure of the council. Council Beaver- As representing Noblesville & Fall Creek Township with both reservoirs I am asking my other County Councilors to table this matter for 30 days and instruct our County Surveyor, who has more knowledge about water than us to meet with PSI Energy, come back make a report to us what he feels like the water flow numbers are 30 days from now. That's my motion. Councilor Belden seconded the motion. Roll call vote: Councilor Beaver, yes; Councilor Altman, opposed; Councilor Hiatt, opposed; Councilor McKinney, yes; Councilor Levine, yes; Councilor Carter, yes; Councilor Belden, yes. Motion to table carried 5-2.

Councilor McKinney- In conclusion for myself, the environment and quality of life concerns I think are not too much to ask for 30 days. We'll have this back on our agenda within 30 days and ask the Surveyor to meet with PSI Energy and prepare a report. Councilor Beaver- Do you want me to meet with Kent Ward and express concerns then have them follow them up? He needs to follow them up with appropriate person from PSI. Councilor McKinney- Right, we're asking him just to verify their numbers or their hydrologist report so we can act on this on July 11th. Councilor Levine- I'm very much in favor of it also, clean air, clean water, increased energy for all those reasons but I think we need to satisfy a few of our folks that want to see more infinite numbers and I hope 30 days won't change your minds. Councilor Altman- Well I hope so too but I think we had a compromise that would of worked and answered concerns. Councilor Beaver- While we're here and while we're doing that exactly what did you say again Rick that you, I suggested that we have the Surveyor, who understands these kind of things review what he feels like would be the requirements and the uses that the plant is going to have and the water flows to the river to give us a report, an independent report of what he feels like is most likely to happen. Councilor McKinney- I was just trying to restate what you said, I wasn't trying to say something new. Councilor Beaver- Ok, and which person from your organization should we have the Surveyor contact. Mr. Ziegler- Dan Ziegler. Councilor Beaver- Thank you. Councilor Carter- Will this answer the publics questions. Councilor Beaver- It's as close to an expert as we have at the County level that I can think of. Councilor McKinney- And included in that question is whether or not a deep, deep well would be a viable contingency plan? Councilor Beaver- Well, he may have some opinion as to whether there's an aquifer there. It would be up to them to decide whether a deep well was a contingency thing. Councilor Levine- I think the issue of Indianapolis Water Company to regional company, I would stand opposed to Indianapolis purchasing this, it would adversely affect us in Hamilton County. I would hope that everyone here would write letters and start getting interested. If it's sold they can pull down those reservoirs without any regard to us at all. Councilor Altman- It's in the courts now.

#### **ADDITIONAL, TRANSFER, REDUCTIONS, AND AMEND FORM 144**

Councilor Belden made a motion to table 144 amendment and additional appropriation request for the County Clerk. Councilor Altman seconded the motion. Motion carried 7-0.

Councilor Altman moved to approve County General Council additional request of \$11,297 for line item 101.015.000.3850 Vine. Councilor Levine seconded the motion. Motion carried 7-0.

Councilor Belden moved to approve additional request of \$3,050 for line item 1003 Comm Cir Ct & Sup 1. Councilor Altman seconded motion. Motion carried (7-0). Councilor Altman requested that personnel look into whether we have a policy that lapses vacation after a certain amount of time.

Councilor Belden moved to approve reduction of \$718 for line item 101.025.000.1009 Receptionist in County General Extension Fund. Councilor Carter seconded motion. Motion carried 7-0.

Councilor Belden moved to approve 144 amendment and additional request of \$6,936 in line item 101.036.000.1001 Manager in County General Safety/Risk Management. Councilor Levine seconded motion. Motion carried 7-0.

Councilor Levine moved to approve additional request of \$2,500 in line item 101.044.000.2010 gasoline in County General Surveyor. Councilor Altman seconded motion. Motion carried 7-0.

Councilor Levine moved to approve additional request of \$12,000 in line item 101.044.000.1300 part time in County General Surveyor. Councilor Belden seconded motion. Motion carried 7-0.

Councilor Levine stated to Kent that she had met with the finance committee with Soil & Water and two of the new board members Tom Goins and another will be contacting you to sit down and go over the duplication of services and work it out with you.

Councilor Beaver instructed Kent to meet with PSI's representative Dan Ziegler to review the hydrology studies and mathematical numbers they are using to determine what the water usage of their retrofitted plant will be in comparison to what their current usage is now, and also there were concerns from citizens that in the event of a drought and low water flow in the river that usage by the new retrofitted plant would cause low water flow and cause the reservoirs to be drained to maintain water flow. What is the possibility of them sinking a well to supply their own needs in case of an emergency, a drought, a short time situation. Is there such an aquifer? We have no expertise in that area, you know as much about that stuff as anybody I know involved in county government. We're just asking you to meet with him, get his input and come and give us your best assumption or recommendation as to how the water will be affected in White River which is a concern of mine and other council members before we move ahead with the tax abatement. PSI will be back on July 11th asking for their abatement again.

Councilor Belden moved to approve 144 amendment in County General Unified Probation Fund line item numbers 1005; 1007; 1017; 1019; and 1024. Councilor Altman seconded motion. Motion carried 7-0.

Councilor Belden moved to approve additional request of \$3,895 in County General Unified Probation Fund line item numbers 1005 Crabtree-\$459; 1007 Miller-\$859; 1017 Swindell-\$859; 1019 Campbell-\$859; 1024 Sowers-\$859. Councilor Altman seconded motion. Motion carried 7-0.

Councilor Belden moved to approve additional request of \$25,000 in County General Unified Probation Fund line item #101.047.000.1407 Overtime. Councilor Altman seconded motion. Motion carried 7-0.

Councilor Belden moved to approve 144 amendment in Unified Probation Users Fund line item numbers 316.000.000.1001; 1006; 1009; 1010; 1011; 1012; and 1013. Councilor Altman seconded motion. Motion carried 7-0.

Councilor Belden moved to approve additional request of \$19,904 in Unified Probation Users fund 316 line item numbers 1001 Dollard-\$459; 1006 Vacant Position- \$1,959; 1009 Todd- \$2,209; 1010 McManus- \$3,804; 1011 Gilmore- \$3,459; 1012 Vacant Position -\$ 4,055; and 1013 Ray- \$3,959. Councilor Altman seconded motion. Motion carried 7-0.

Councilor Belden moved to approve additional request of \$15,000 in Unified Probation Users Fund 316 line item number 316.000.000.1407 Overtime. Councilor Altman seconded motion. Motion carried 7-0.

Councilor Belden moved to approve 144 amendment in CARE Fund 325 line item numbers 325.000.000.1003; 1004; and 1005. Councilor Altman seconded motion. Motion carried 7-0.

Councilor Belden moved to approve additional request of \$12,116 in CARE Fund 325 line item numbers 1003 Evans- \$4,198; 1004 Abels- \$3,959; 1005 Vacant- \$3,959. Councilor Altman seconded motion. Motion carried 7-0.

Councilor Belden moved to approve additional request of \$10,000 in CARE Fund 325 line item 325.317.000.1407 Overtime. Councilor Altman seconded motion. Motion carried 7-0.

Councilor Beaver moved to approve additional request of \$5,560 in County General Fall Creek Township Assessor Fund line item number 101.065.000.3713 Contractual. Councilor Levine seconded motion. Motion carried 7-0.

Councilor Hiatt moved to approve additional request of \$14,769 in Reassessment Washington Township Fund line item number 109.060.000.1003 Field Appraiser/ Data. Council Levine seconded motion. Motion carried 7-0.

Councilor Belden moved to approve additional request of \$465,000 in Local Road & Street Fund line item 112.000.000.3223 236th Street US 31 to Cicero. Councilor Hiatt seconded motion. Councilor Altman stated she's willing to go for it as long as they understand there's no commitment for financing construction at this point because we don't know. Motion carried 7-0.

Councilor Beaver moved to approve additional request of \$3,477,000 in Cumulative Bridge Fund in the following line item numbers:

201.000.000.0025	Br #25 \$550,000
201.000.000.0031	Br #31 \$580,000
201.000.000.0039	Br #39 \$305,000
201.000.000.0060	Br #60 \$170,000
201.000.000.0080	Br #80 \$122,000
201.000.000.0082	Br #82 \$165,000
201.000.000.0123	Br #123 \$340,000
201.000.000.0141	Br #141 \$700,000
201.000.000.0145	Br #145 \$450,000
201.000.000.0190	Br #190 \$ 95,000

Councilor Belden moved to second. Motion carried 7-0.

Councilor Belden moved to approve 144 amendments in Funds 259 Community Correction Juvenile Grant; 279 Community Correction Adult Grant Fund; 285 Juvenile Prevention Grant Fund and 327 Community Correction Project Income Fund. Councilor Levine seconded the motion. Motion carried 7-0.

Councilor Belden moved to approve additional request of \$115,000 in Jail Detention Fund 358 line item 358.000.000.3718 Criminal Justice Task Force Study. Councilor Levine seconded the motion. Motion carried 7-0.

## **ANNOUNCEMENTS**

Robin M. Mills - None

John Culp - None

Joint meeting with Council and Board of Commissioners will be held on Monday, June 25th at 4:30 p.m.

Councilor Careter shared with the rest of the Council members a letter he received from Judith F. Hagan regarding intersection improvement at 106th & College Ave.

Councilor Beaver made motion to adjourn meeting. Councilor Altman seconded motion. Motion carried (7-0).

The meeting was duly adjourned.

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President  
Auditor

Those present:

Gordon Byers, PSI Energy Concerns  
Community Corrections

Ralph Watson,

Sheena Randall, Human Resources  
Ledger

Katherine Lewis, Daily

Dan Ziegler, PSI Energy  
Energy

Dauphin Hoppes, PSI

Barry Kress, PSI Energy  
PSI Energy

Gregg Scott,

Debbie Nispel, PSI Energy  
PSI Energy

Steve Pearl,

Barry McNulty, Health Dept.  
Highway

Tom Stevens,

Larry Stout, GIS Manager  
Manager

BJ Casali, ISS

M.D. Putnman, Observer  
Putnam, Boy Scout Merit Bade

Nicholas

Matt Knight, Highway  
Town Council

Bill Holliday, Cicero

Steven L. Peachey  
Fire Department

Cicero

Bruce J. Freeman, Cicero Town Council

CJ Cambre, Town of Cicero Parks

Michael O. Mano, Cicero Town Council

Gary Cook, Cicero Police Dept.

Allen W. Patterson, Parks  
PSI Energy

Debbie Brown,

Steve Holt, Commissioner  
Resident

Kirk Demaree,

Stu Hirsch, Indianapolis Star  
South Harbour Resident

Jerry Swear,

Bob Becker, South Harbour Resident